

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hairo Peng et al.
Serial No: 10/552,304
Confirmation No: 1897
Filed: July 26, 2006
For: A2A ADENOSINE RECEPTOR ANTAGONISTS
Examiner: BALASUBRAMANIAN, VENKATARAMAN
Art Unit: 1624

Commissioner for Patents

TERMINAL DISCLAIMER UNDER 37 CFR §§3.73(b) AND 1.321(c)

Pursuant to 37 CFR §3.73(b), BIOGEN IDEC MA INC. a corporation, certifies that it is the assignee of the entire right, title, and interest in the above application by virtue of:

A chain of title from the inventors of the above-referenced patent application to the current assignee as shown below:

1. From the inventors to BIOGEN IDEC MA INC.: The document was recorded in the Patent and Trademark Office at Reel 022849, Frame 0981, on June 19, 2009.

The undersigned has reviewed all the documents in the chain of title of the above-identified application and to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Pursuant to 37 CFR §1.321(c), and to obviate a double patenting rejection, the assignee identified above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above identified application subsequent to the expiration date of U.S. Patent Number 7,285,550 whereby the patent granted on this application and U.S. Patent Number 7,285,550 will expire on the same day, provided that any patent granted on the above identified application shall be enforceable only for and during such period that it is commonly owned with U.S. Patent Number 7,285,550.

The assignee identified above does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory

term of U.S. Patent Number 7,285,550 in the event that U.S. Patent Number 7,285,550 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignee herein does not disclaim or otherwise affect any part of U.S. Patent Number 7,285,550.

Any patent granted on the above reference application or any patent subject to a reexamination proceeding shall be enforceable only for and during such period that said patent is commonly owned with the application or patent which formed the basis for the judicially created double patenting.

The required fee pursuant to 37 CFR §1.20(d) is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply any other charges or credits to Deposit Account No. 50-2762, referencing attorney docket no. B2047-7034US.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

LANDO & ANASTASI, LLP

Date: February 24, 2010

/Catherine M. McCarty/

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